



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

**PROMPT REPLY NECESSARY  
SENT BY FEDERAL EXPRESS**

September 1, 2004

Mr. Marvin Lindmark III  
Registered Agent  
AAA Trailer Services, Inc.  
7730 Forsyth, Suite 150  
St. Louis, Missouri 63105

Dear Mr. Lindmark:

Re: Request for Information  
Westlake Landfill Site

40332212



Superfund

On August 4, 2004 the Environmental Protection Agency (EPA) sent AAA Trailer Services, Inc. (AAA) a request for information pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(e). The EPA received a response dated August 25, 2004 prepared by Mr. David J. Heinze of Terra Technologies. By this letter, EPA seeks clarification of some of the answers in the response letter. In addition, the response signed by Mr. Heinze states that "AAA Trailer is in receipt of (EPA's) letter"; however, the response to question 7: "Identify the person answering these questions on behalf of AAA" states that the responses were prepared on behalf of K & A Realty and V & B Realty. Therefore, I am enclosing a copy of the original letter to AAA so that responses may be prepared on behalf of AAA. We request that you provide a complete and truthful response to this Information Request and attached questions within ten calendar days of your receipt of this letter.

As indicated, EPA is also seeking clarification for the responses that were provided; for your convenience, a copy of the response is enclosed. These questions are directed to AAA as well.

1. The response to question 2 states that "As you are aware, around July 1999, the upper two to six inches of soil material was scraped from the Crossroad and buffer properties". The question required that the identity of the person performing the action, and also a map indicating the area affected. This information was not provided. The response also states that "a geotextile fabric was placed on the ground surface of both properties and approximately 8 to 12 inches of

gravel was placed on the geotextile". Explain whether any additional soil removal, grading, or other re-work of the surface was performed before the geotextile was installed.

2. Question 7 asked for the identity of the person answering the questions. The response indicated that while Mr. Heinze from Terra Technologies prepared the responses, Mr. Lindell Byron provided input; the instructions which accompanied the information request state that "identify" means "the person's full name; present or last known business and home addresses and telephone numbers; and present or last known employer (including full name and address) with title, position or business. This information was not provided for Mr. Byron.

3. Question 4 requested information regarding the fate of the bermed or mounded soil located along the property line. The letter explained that as a result of an inspection in October, 2003, it was observed that the bermed or mounded soil were no longer present. The response stated that "According to Mr. Byron, the bermed or mounded soil and other material that was previously located along the property line was not removed and is still located along the property line". Please explain this inconsistency. Is the reported observation from October 2003 in error? If the bermed or mounded material is still along the property line, why is it not evident or visible?

Please provide this information within ten calendar days of receipt of this letter. Your response to this Information Request should be mailed to:

Cheryle Micinski  
Deputy Regional Counsel  
U.S. Environmental Protection  
901 N. 5<sup>th</sup> Street  
Kansas City, Kansas 66101

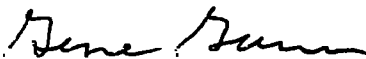
While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Attachment C of the original request, including the requirement for supporting your claim for confidentiality.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

If you have specific questions about the Information Request, please contact Ms. Micinski at 913-551-7274.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Gunn".

Gene Gunn  
Chief, Federal Facilities and  
Special Emphasis Branch

Enclosure

cc: Mr. David J. Heinze  
Terra Technologies, Inc.  
907 Fee Fee Road  
Maryland Heights, MO 63043

Daniel Wall, SPFD